

E-Filed 9/10/08

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

ROMULO RIMANDO,

Plaintiff,

v.

ALUM ROCK UNION ELEMENTARY SCHOOL
DISTRICT and MARIBEL GUIZAR-MAITA,
individually,

Defendants.

Case Number C 08-01874 JF (RS)

ORDER¹ GRANTING IN PART
PLAINTIFF'S MOTION FOR
ADMINISTRATIVE RELIEF

[re: doc. no. 16]

Plaintiff Romulo Rimando seeks the Court's permission to file his opposition to Defendants' motion to dismiss after the due date of August 29, 2008. Plaintiff's supporting papers state that timely filing was prevented by Hurricane Gustav. Plaintiff was able to file the present motion on September 1, 2008 and Defendants do not oppose Plaintiff's late filing.

However, in addition to filing late Plaintiff exceeded the 25 page limit for his opposition papers as set forth in Civ. L. R. 7-2(b). Apparently, Plaintiff's counsel was confused as to the

¹ This disposition is not designated for publication in the official reports.

1 required font size, believing that the local rules required motions to be submitted in fourteen-
2 point font. Defendants note that twelve-point font is allowed under Civ. L. R. 3-4(c)(2), and that
3 as originally submitted, Plaintiff's 40 page opposition violated Civ. L. R. 7-2(b).
4

5 Plaintiff now has filed a twelve-point font version of the document submitted on
6 September 1, 2008. This document complies with the page limits of Civ. L. R. 7-2(b). In
7 addition, Defendants have filed a reply to Plaintiff's opposition. The briefing for the hearing
8 scheduled for September 19, 2008 thus is complete. Accordingly, IT IS HEREBY ORDERED
9 that Plaintiff's motion for administrative relief is GRANTED as to the late filing, and DENIED
10 AS MOOT regarding the page limit.
11

12
13 DATED: September 10, 2008

14
15 
16 JEREMY FOGEL
17 United States District Court
18
19
20
21
22
23
24
25
26
27
28

1 This Order has been served upon the following persons:

2 George C. Aucoin aucoingc@att.net, jmez957@yahoo.com, lesliehunt@charter.net

3 Sloan Robert Simmons ssimmons@lozanosmith.com, mkitabayashi@lozanosmith.com,
4 ploftis@lozanosmith.com